

**REMARKS**

Claims 1-16 stand rejected, claims 15 and 16 having been canceled without prejudice, claims 1-14 remain.

Claims 1-3, 8, and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Plischke et al. USPN 5,977,014. Applicants respectfully traverse.

Claim 1 has been amended herein to recite that the present invention relates to a sanitary absorbent article comprising, inter alia, an absorbing core having an upper part and a lower part, said core being formed from an absorption sheet and a superabsorbent material adhered to an inner surface of the sheet, said sheet consisting essentially of a wet laid paper and comprising two opposite longitudinal sides, each said longitudinal side having been bent onto the inner surface. (Emphasis Added). It is respectfully submitted that none of the cited references disclose a napkin having such a structure.

The Plischke et al reference teaches an absorbent core that can be formed from a variety of materials. However, none of the disclosed materials include a wet laid paper. The Patent Office has cited column 26, lines 55 to 57 alleging that this portion of Plischke teaches forming the core from a wet laid paper. This position is incorrect. A careful reading of the cited portion of Plischke indicates that "the sanitary napkin can comprise a wet laid tissue superimposed on the core. (Emphasis Added). Thus, the core is not formed from a wet laid paper where the longitudinal edges are bent in the manner claimed, rather a wet laid tissue is merely superimposed on the core. In view of the foregoing, Applicants respectfully submit that the cited reference does not anticipate the present claimed invention.

Claims 4, 5, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Plischke in view of Hoey et al. USPN 3,403,681 and further in view of Schreiber USPN 2,418,907. Applicants respectfully traverse.

Claims 4, 5, 13 and 14 are dependent from an allowable base claim for the above reasons of record. Moreover, the Hoey reference does not disclose as much as alleged by the Patent Office. More specifically, it is the position of the Patent Office that Hoey discloses an apertured core. This position is incorrect. Hoey teaches a nonwoven fabric overwrap may be provided with a plurality of apertures which overlies a fluff pulp core (see column 2, lines 62 to 68) Thus, it apertures are not in the core as alleged by the Patent Office, rather they are in the overwrap. Thus, even if one of ordinary skill in the art were to combine the cited references in the manner suggested by the Patent Office, the combination would not teach the subject matter of claims 4, 5, and 14. Reconsideration and allowance of these claims is accordingly respectfully requested.

Claims 6, 7, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Plischke in view of Goldman et al. USPN 5,669,894. Applicants respectfully traverse.

Claims 6, 7, and 9 are dependent from an allowable base claim for the above reasons of record. Moreover, the Goldman reference does not disclose as much as alleged by the Patent Office. More specifically, it is the position of the Patent Office that it would have been obvious to combine Goldman with Plischke for the benefits described in Goldman., Applicants respectfully disagree with this position. While Goldman recognizes some of the problems of gel blocking with superabsorbent, neither reference recognizes the potential for the superabsorbent to gel block in absorbent constructions having a wet laid paper laminate, where the amount of fibrous material available to aid in fluid distribution wicking is limited. Both Goldman and Plischke absorbent cores are formed from conventional materials such as pulp fluff or absorbent foams that are distinct from wet laid paper. In view of the foregoing, the combination of these two references does not teach or suggest the subject matter of claims 6, 7 and 9. Reconsideration and allowance of these claims is accordingly respectfully requested.

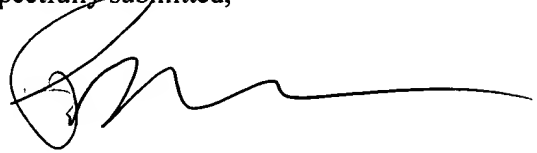
Serial No. 09/848,465

A petition for a one month extension of time, extending the term for response from October 16, 2003 until November 16, 2003, is enclosed herewith. A notice of appeal is also enclosed. The Commissioner is hereby authorized to chare all requisite fees to Deposit Account No. 10-0750. A duplicate copy of this page is enclosed.

According to currently recommended Patent Office policy, the Examiner is respectfully authorized to contact the undersigned in the event that a telephone interview would advance the prosecution of this application.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Paul J. Higgins', written over a horizontal line.

By: \_\_\_\_\_

Paul J. Higgins  
Attorney for Applicant(s)  
Reg. No. 44,152

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-1728  
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